

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Herbalife International, Inc.,

NO. C 03-05878 JW

Plaintiff(s),

v.

Unither Pharma, Inc. et al.,

Defendant(s).

**ORDER DENYING AS MOOT MOTION
TO STRIKE EXHIBITS 8-10, 12, 24, 25,
AND 29 TO CORUZZI DECLARATION,
EXHIBITS B-D & I-M TO GROSS
DECLARATION AND REFERENCES
THERE TO**

New York Medical College, The Board of Trustees of the Leland Stanford Junior University,
and Unither Pharma, Inc.'s Motion to Strike Exhibits 8-10, 12, 24, 25, and 29 to Coruzzi
Declaration, Exhibits B-D & I-M to Gross Declaration and References Thereto is DENIED as
MOOT. The Court issued its ruling on the claim construction issues on November 30, 2005, which
included citations to those portions of the record relied upon therein.

Dated: March 21, 2006

03cv5878jw

/s/James Ware

JAMES WARE

United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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13 **Dated: March 21, 2006**

Richard W. Wieking, Clerk

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15 By: /s/JW chambers

Melissa Peralta
Courtroom Deputy

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